

Ab providing a location in memory of a computer for storing each of the elements; and
storing each element of the electronic catalog documents in the respective location, such
that each element can be retrieved from memory.

REMARKS

In the Office Action mailed February 26, 2002, the Examiner has raised certain issues with the claims and application. In particular, the Examiner has:

- (1) objected to the drawings as being informal;
- (2) rejected claims 1, 9, 10, 14, 16, 20, 34, 35 and 41 under 35 U.S.C. § 101 as being directed to non-statutory subject matter; and
- (3) rejected claims 19 and 44 under 35 U.S.C. § 112, first paragraph, for non-enablement.

In the present response, claims 9-10, 14-16, 19-21, 34-35, 39-41, and 44 have been amended. These amendments, however, should not be construed in any way as acquiescence to any of the rejections, but rather made solely to expedite prosecution of the instant application. Applicants reserve the option to further prosecute the same or a similar subject matter in the instant or a subsequent application. Upon entry of these amendments, claims 1-44 remain as the claims pending in the present application. Applicants request reconsideration in view of the foregoing changes and the following remarks.

Drawings

With respect to item (1) wherein the drawings are objected as being informal, in a telephone conference with the Examiner on April 4, 2002, the Examiner indicated that formal drawings are not necessary at this time and are not required to be filed along with this response.

35 U.S.C. § 101

With respect to item (2), the Examiner has alleged that claims 1, 9, 10, 14, 16, 20, 34, 35 and 41 are directed to non-statutory subject matter.

In particular, the Examiner has asserted that claim 1 is essentially directed to a functional descriptive material and that the descriptive material is not functionally related to the substrate. Rather, it is just a "document". Applicant disagrees.

If the Examiner may note, as provided in Section IV.B.1 of the United States Patent and Trademark Office *Examination Guidelines for Computer-Related Inventions*, "functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory." (p. 8).

Claim 1, as the Examiner has noted, is directed to a functional descriptive material. The material is provided on a computer-readable medium, in this case, a document for an electronic catalog protocol, which may be distributed over, for instance, the Internet, to a plurality of servers.

Moreover, Applicant notes that on page 9 of the *Examination Guidelines*, it is provided that "a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the medium which permit the data structure's functionality to be realized,...is statutory"

Claim 1, as written, is directed to a document for an electronic catalog protocol. The document is encoded with data structures, for instance, first portions, second portions and third portions. These data structures define the structural and functional interrelationships between each data structure and the medium, for instance, the function of each portion within the document.

Since claim 1, as written, clearly falls within the definitions provided by the *Examination Guidelines*, Applicant submits that claim 1 is directed to statutory subject matter permitted under 35 U.S.C. § 101.

The Examiner has also asserted that each of claims 9, 10, 14 and 16 is directed to a functional descriptive material, and that the material is not functionally related to the substrate. The Examiner has noted that, rather, the material is just a computer program.

Claims 9, 10, 14 and 16 have been amended. In particular, the preamble for each of these claims has been amended to set forth a computer program, disposed on a computer readable medium. In addition, the preamble provides that the program includes instructions for causing a processor to perform some function. Each of claims 9, 10, 14 and 16 have also been amended to better define the invention set forth therein.

Accordingly, Applicant submits that these claims, as amended, now fall within the definitions provided by the *Examination Guidelines* and include proper statutory subject matter permitted under 35 U.S.C. § 101.

Similarly, claims 20, 34, 35 and 41 have been amended so that, in their amended form, these claims now comply with the requirements under 35 U.S.C. § 101.

Claims 21 and 40 have been amended to provide proper dependency.

35 U.S.C. § 112

With respect to item (3), the Examiner has alleged that claims 19 and 44 fail to enable one skilled in the art to make and use the invention.

Claims 19 and 44 have been amended to clearly and concisely define the invention set forth therein. Accordingly, Applicant submits that claims 19 and 44, as amended, are now in compliance with the requirements under 35 U.S.C. § 112, first paragraph.

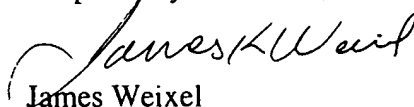
Conclusion

In view of the foregoing amendments and remarks, Applicant submits that the pending claims are clear, concise, and are within the requirements set forth under 35 U.S.C. § 101.

Accordingly, Applicant submits that the claims are now in condition for allowance. Withdrawal of the pending rejections, and early and favorable reconsideration are respectfully solicited.

If there are any fees due in connection with the filing of this response, including an extension of time under 37 C.F.R. § 1.136, please charge the fees to our Deposit Account No. 07-2339.

Respectfully submitted,



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Marked-Up Version of Changes to the Application

IN THE CLAIMS:

Claims 9-10, 14-16, 20-21, 34-35, 39-41 and 44 were amended as follows:

9. (Amended) A computer program, disposed on a computer readable medium, for verifying authenticity of an electronic catalog, [comprising] the program including instructions for causing a processor to:

[a document type definition for] identify elements of an electronic catalog, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document];

locate a digital signature [included] in the footer of the electronic catalog; and

[signature verification software for verifying] analyze the signature to verify the authenticity of the electronic catalog.

10. (Amended) A computer program, disposed on a computer readable medium, for updating an electronic catalog, [comprising] the program including instructions for causing a processor to:

[a document type definition for] identify elements of an electronic catalog, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document];

initiate instructions [a parser] for reading the elements of the electronic catalog to determine whether information therein is current; and

update [software for updating] the elements of the electronic catalog [according to results obtained from the parser] with current information.

14. (Amended) A computer program, disposed on a computer readable medium, for annotation of an electronic catalog, [comprising] the program including instructions for causing a processor to:

[a document type definition for] identify elements of an electronic catalog, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document];

generate at least one electronic catalog source document [according to the document type definition] from the elements;[and]

generate at least one compound document having elements similar to that of the electronic catalog; [according to the document type definition, wherein the compound document encloses the electronic catalog source document and includes annotation sections which refer to entries in the electronic catalog source document.]

enclose the electronic catalog source document within the compound document; and
provide an annotation section referring to entries in the electronic catalog source document.

15. (Amended) A computer program of claim 14, further [comprising] including instructions for causing a processor to:

generate a digital signature for verification of the compound document, wherein verification of the compound document does not prevent verification of the authenticity of the electronic catalog source document.

16. (Amended) A computer program, disposed on a computer readable medium, for assisting purchases and sales of a plurality of items according to a plurality of transaction types, [comprising] the program including instructions for causing a processor to:

[a document type definition for] identify elements of an electronic catalog, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document]; and

generate a sales-model tag [included] in the header, for specifying the type of transaction for which the electronic catalog will be used.

19. (Amended) A computer[-based repository] storage medium containing a computer program having means for identifying elements of an electronic catalog document[s] for subsequent distribution of the elements, comprising:

means for identify elements of [a document type definition for] an electronic catalog,
including a header, a footer, and a body[, wherein the document type definition permits
distribution of elements of an electronic catalog document];

means for determining a location in the storage medium for storing each of the elements
of the electronic catalog [a location in memory of a computer for storing electronic catalog
documents that are established according to the document type definition]; [and]

means for storing each of the elements in the respective location in the storage medium
[database software for storing electronic catalog documents in memory and for retrieving
electronic catalog documents from memory]; and

means for retrieving each of the elements for the respective location for subsequent
distribution.

20. (Amended) A computer-based method of providing an electronic catalog, comprising:
[providing a document type definition for an electronic catalog, including a header, a
footer and a body, wherein the document type definition permits distribution of elements of an
electronic catalog document.]

providing a header section to identify a source of a catalog;

providing a body section to permit object entries;

providing a footer section including information for verifying content of the header and
body sections; and

formatting the sections so that they can be presented as an electronic catalog to a user for
action.

21. (Amended) A method of claim [1] 20, further comprising:
distributing elements of an electronic catalog document to a plurality of servers.

34. (Amended) A computer-based method for verifying the authenticity of an electronic
catalog, comprising:

identifying elements of [establishing a document type definition for] an electronic catalog
document, including a header, a footer, and a body[, wherein the document type definition
permits distribution of elements of an electronic catalog document];

locating [including a digital signature in] within the footer of the electronic catalog document an electronic signature; and

analyzing the signature to verify [providing verification software for verifying] the authenticity of the electronic catalog document.

35. (Amended) A computer-based method for updating an electronic catalog, comprising: identifying elements of [establishing a document type definition for] an electronic catalog document, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document];

[providing a parser for] reading the elements of the electronic catalog to determine whether information therein is current; and

[providing update software for] updating the electronic catalog document [according to output from the parser] with current information.

39. (Amended) A computer-based method for annotation of an electronic catalog, comprising:

identifying elements of [establishing a document type definition for] an electronic catalog document, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document];

generating [providing] at least one electronic catalog source document [according to the document type definition] from the elements; and

generate [providing] at least one compound document having elements similar to that of the electronic catalog; [according to the document type definition, wherein the compound document encloses the electronic catalog source document and includes annotation sections which refer to entries in the electronic catalog source document.]

enclosing the electronic catalog source document within the compound document; and providing an annotation section referring to entries in the electronic catalog source document.

40. (Amended) A computer-based method of claim [38] 39, comprising:

providing a digital signature for verification of the compound document, wherein verification of the compound document does not prevent verification of the authenticity of the electronic catalog source document.

41. (Amended) A computer-based method for assisting purchases and sales of a plurality of items according to a plurality of transaction types, comprising:

identifying elements of [establishing a document type definition for] an electronic catalog, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document]; and

providing a sales-model tag [included] in the header, for specifying the type of transaction for which the electronic catalog will be used.

44. (Amended) A computer-based method of storing electronic documents, comprising:

identifying elements of [establishing a document type definition for] an electronic catalog, including a header, a footer, and a body[, wherein the document type definition permits distribution of elements of an electronic catalog document];

providing a location in memory of a computer for storing [electronic catalog documents that are established according to the document type definition] each of the elements; and

[providing database software for] storing each element of the electronic catalog documents in the respective location [memory and for] such that each element can be retriev[ing]ed [electronic catalog documents] from memory.